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NOT TO BE PUBLISHED IN THE OFFICIAL REPORTS

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION TWO

T.B., Petitioner, v. THE SUPERIOR COURT OF LOS ANGELES COUNTY, Respondent; LOS ANGELES COUNTY DEPARTMENT OF CHILDREN AND FAMILY SERVICES, Real Party in Interest.	B207897 (Los Angeles County Super. Ct. No. CK17876)

ORIGINAL PROCEEDING; Petition for extraordinary writ. Stephen Marpet, Commissioner. Writ denied.

Law Offices of Katherine Anderson, Victoria Doherty and Caitlin Crary for Petitioner.

No appearance for Respondent.

Raymond G. Fortner, Jr., County Counsel, James M. Owens, Assistant County Counsel, and Aileen Wong, Deputy County Counsel, for Real Party in Interest.

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Petitioner T.B. seeks extraordinary writ review of a juvenile court order terminating reunification services with her daughter, Mary S., and setting the matter for a permanency planning hearing. (Welf. & Inst. Code, § 366.26, subd. (l);[1] Cal. Rules of Court, rule 8.452.) We deny the petition.

I. PROCEDURAL HISTORY AND STATEMENT OF FACTS

Petitioner and R.S. (Father) are the parents of Mary S. (born Sept. 2001). Mary S.'s siblings, Robert R. (born June 1994), Thomas M. (born Apr. 1995) and Timothy Y. (born Jan. 1998), are not subjects of this petition. Another sibling, Andrew Y., died in March 2002.[2]

Prior Dependency History: In 1995, after the Los Angeles County Department of Children and Family Services (DCFS) filed a dependency petition on behalf of Robert R. and Thomas M., the juvenile court declared the children dependents under section 300, subdivisions (a), (b), (e), (g), and (j). In July 1996, the following allegations were sustained: (1) during a violent domestic violence episode between petitioner and Thomas M.'s father, petitioner was struck repeatedly; (2) Thomas M., who was in petitioner's arms at the time of the incident, was hospitalized for subdural hematoma involving evidence of new and old bleeding; (3) petitioner failed to adequately supervise and protect Thomas M.; and (4) Thomas M., who was under the age of five, suffered severe physical abuse by his father.

Later, Thomas M., who was rendered legally blind, was diagnosed with traumatic brain injury as a result of shaken baby syndrome. He became a client of the regional center and was diagnosed with cerebral palsy, autism, seizure disorder and attention deficit disorder.

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[1] All further statutory references are to the Welfare and Institutions Code unless otherwise indicated.

[2] The minor and her siblings are referred to in this opinion by fictitious names.

In October 1999, Robert R. and Thomas M. were placed in petitioner's home and in December 1999, the juvenile court terminated jurisdiction over the children. In June 2000, a family law order was signed and filed.

In March 2002, DCFS filed a section 300 petition on behalf of Mary S., Robert R., Thomas M. and Timothy Y., and in February 2003, the following allegations were sustained: (1) on numerous occasions Father physically abused Robert R., Thomas M. and Timothy Y. by striking them with a belt, which caused bruises to their bodies; (2) petitioner knew about the physical abuse, but failed to take action to protect the children; (3) on March 21, 2002, Andrew Y., age two, died of internal injuries, including a mesenteric and liver laceration and a jejunal perforation;[3] (4) petitioner and Father failed to obtain medical treatment for Andrew Y.; (5) had medical treatment been obtained, Andrew Y. most likely would have survived; and (6) petitioner failed to resolve the problems that resulted in the prior dependency petition.

In February 2003, Timothy Y. was released to his father and jurisdiction over him was terminated shortly thereafter. In March 2004, Robert R. and Thomas M. were placed in petitioner's home, and in May 2004, the juvenile court ordered Mary S. placed in the home of her parents.

On July 26, 2004, DCFS received a referral alleging that Thomas M., who functioned at a five-year-old level, was seen by the reporting party with his penis exposed and erect. When questioned about what he was doing, Thomas M. pulled up his shorts and began sucking his thumb. When petitioner was informed about the incident, she was surprised and stated that there were no men in the home and she did not suspect any sexual abuse by anyone. During a subsequent DCFS investigation, Thomas M. stated he told Mary S. to touch his penis on three occasions. Mary S. could not recall how many times she touched Thomas M.'s penis. Petitioner stated that Thomas M. told her he learned the behavior at school when he saw other boys pull down their pants and play with their penis.

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[3] The injury purportedly was caused as a result of Thomas M.'s jumping off a top bunk onto Andrew Y.'s abdomen.

Petitioner denied that any of her children had been sexually abused. The allegation was found to be inconclusive.

In September 2004, jurisdiction over Thomas M. was terminated by the juvenile court. Later, petitioner was granted sole physical custody of the child.

In October 2005, petitioner's mother passed away and petitioner became depressed. She did not have a stable place of residence and lived with different friends. Because Father had a more stable living situation and had a stable relationship with another woman, petitioner agreed that Mary S. could reside with Father until petitioner found a place to stay. In mid-February 2006, Mary S. moved into Father's home.

In June 2006 petitioner found a place to stay, but agreed that Mary S. would remain with Father until school started in September 2006. In early September, petitioner tried to retrieve Mary S., but Father provided different reasons why the child was not home. On one occasion, petitioner called the police, but the police refused to become involved because Mary S. had resided with Father for a lengthy period of time. In October 2006, when petitioner went to Father's home, the house was vacant.

Dependency Petition. On May 18, 2007, DCFS filed a section 300 petition alleging Mary S. was at risk due to Father's drug abuse, his inability to provide a stable home environment and his domestic violence against N.T., his female companion. Petitioner was not named in this petition.

Detention Hearing. Petitioner appeared at the detention hearing held on May 18, 2007.

In a report prepared for the hearing, DCFS described the circumstances surrounding Mary S.'s detention. On May 12, 2007, police officers responded to Father's motel room. Father's companion, N.T., stated that she and Father had been arguing. After Father told her to leave, N.T. began gathering her belongings and placed them inside a plastic bag. Father ripped the bag from her hand and N.T. heard him say, "[w]here is my gun?" N.T. saw Father looking for his gun in the closet. As N.T. ran to the door, Father threw a shampoo bottle at her. The bottle struck N.T. in the face. Father then closed the motel door, leaving N.T. and her daughter, A.T., outside. When N.T. asked Father to allow her

to retrieve a jacket for A.T., Father opened the door and threw bleach on N.T. The bleach landed on N.T.'s right side and in her eye.

A.T. told the police that Father and N.T. had been arguing, Father became upset and threw a plastic bottle at N.T. hitting her in the face. Father then threw bleach on N.T., which landed on her side. N.T. could not see out of her right eye. As A.T. and N.T. left the motel room, A.T. saw Father put a gun in his right pant pocket. Father told the police he, N.T., Mary S. and A.T. had been staying at the motel for over a month. Although Father denied having a gun, the police found a gun under the mattress. Father was arrested for a violation of Penal Code section 244, assault with caustic chemicals or flammable substance. After his arrest, Father arranged for Mary S. to be cared for by K.S., a paternal great aunt.

Mary S. told the social worker that Father and his companion, N.T., broke things when they were upset. On one occasion, N.T. broke a television and Mary S. cut her hand on the scattered glass. Mary S. did not recall being taken to the doctor. Father smoked a "'white powder'" in a pipe in front of Mary S. and left drugs in the ashtray.
Mary S. saw "very, very scary" movies and a movie where people were naked. When Father did not have a place to stay, they went to a friend's house, but there was no food in the house. Mary S. saw Father put a gun to N.T.'s head and saw the police arrest Father. While Mary S. was living with Father, petitioner did not visit Mary S., nor did she provide for her care, control and supervision. Nor did petitioner provide the child with nurturing and positive interactions to support the child's social and emotional development. Mary S. said, "I don't see my mother, I don't know where she is." Mary S. also stated that she did not want to live with petitioner.

DCFS further reported that petitioner had been arrested in July 2002 for child cruelty-death, for which a bench warrant was issued. In March 2003, petitioner pled no

contest to a felony, i.e., selling and furnishing marijuana hash. In August 2005, a bench warrant for child cruelty and selling and furnishing marijuana hash was issued.[4]

Mary S.'s paternal great aunt, K.S., told the social worker that Father would bring Mary S. to her home so she could purchase clothing for the child. Petitioner and Father were in and out of jail. Mary S. knew the street names for drugs. K.S. was committed to caring for Mary S. on a permanent basis until the child reached the age of majority.

Petitioner did not have a stable place of residence and allowed her children to reside elsewhere. Robert R. stayed most of the time at the home of the maternal great grandmother, R.L.R., because Robert R. attended school close to R.L.R.'s home. Petitioner claimed she resided with her sister in Torrance, California. Petitioner used the address of Robert R.'s godfather for her Cal Works Aid, but did not reside there.

At the conclusion of the detention hearing, the juvenile court found a prima facie case for detaining Mary S. and ordered a prerelease investigation for petitioner. Petitioner was granted reasonable, monitored visits with Mary S. pending the results of the prerelease investigation. DCFS was granted discretion to liberalize petitioner's visits.

Pretrial Resolution Conference. Petitioner appeared at the June 26, 2007 pretrial resolution hearing.

In a report prepared for the hearing, DCFS reported that petitioner had provided conflicting information as to where she was living. Petitioner claimed she lived with Robert R.'s godfather part of the week and that she lived with a friend the other part of the week. Although petitioner claimed that Robert R. and Thomas M. lived with her at both of these places, Mary S.'s paternal great aunt reported that Robert R. and Thomas M. did not live with petitioner and that they were being cared for by their grandmother and a maternal aunt.

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[4] According to petitioner, she entered into a plea with respect to the child cruelty charge and, as a result, was required to attend a parenting class and was placed on probation for three years.

Although petitioner claimed she kept in touch with Mary S. when Mary S. was living with Father, Mary S. denied that this was so. Mary S. claimed that "'[e]very time [petitioner] promises me she's gonna come (she doesn't). She said she was gonna come at my birthday (she did not).'"

The paternal great aunt stated that if petitioner had wanted to see Mary S. during the time she was living with Father, petitioner could have done so because she knew the location of the home where the paternal great aunt had lived for over 15 years and knew she could contact Mary S. through the paternal great aunt. The paternal great aunt also reported that when Mary S. lived with petitioner she went to pick the child up a couple of times. She found that Mary S. had been left with two to three men who were strangers to the child. Further, petitioner had a history of leaving the child with different relatives.

On June 15, 2007, DCFS received a referral that Mary S. was a victim of sexual abuse. It was reported that when Mary S. was medically examined for the purpose of enrolling her in school, a further assessment was requested to rule out the possibility of sexual abuse. Mary S.'s urine test revealed positive results for Chlamydia. When questioned by the police, Mary S. denied anyone had touched her inappropriately.

At the conclusion of the pretrial resolution conference, the allegations set forth in the section 300 petition were sustained.[5] The juvenile court granted petitioner unmonitored reasonable day visits with Mary S. and allowed DCFS discretion to liberalize the visits. The juvenile court directed that a forensic interview be conducted concerning the sexual abuse allegations.

Amended Section 300 Petition and Section 342 Petition. On August 14, 2007, DCFS filed an amended section 300 petition and a section 342 petition on behalf of Mary S., both of which alleged: (1) on July 26, 1995, petitioner was involved in a domestic violence incident with Thomas M.'s father which resulted in Thomas M. suffering traumatic brain injury from shaken baby syndrome; (2) on March 21, 2002, Andrew Y. died from Father's actions or inactions and petitioner failed to seek immediate

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5 Robert R. and Thomas M. were released to petitioner.

medical attention for the child even though she knew of the injuries and that Andrew Y. had vomited several times, including blood; (3) petitioner and Father failed to provide Mary S. with the basic necessities of life and a stable home environment, and failed to enroll Mary S. in school; and (4) petitioner and Father failed to properly care for and supervise Mary S. as she was a victim of sexual abuse by an unknown perpetrator, and her urine test revealed a positive result for Chlamydia.

Petitioner's address on the amended section 300 petition and the section 342 petition was listed as "11305 Alvaro Street, Los Angeles, California 90059."

Detention Hearing. On August 14, 2007, the juvenile court held a detention hearing with respect to the section 342 petition. The address listed on the proof of service notifying petitioner of the hearing was "13305 Alvaro St., Los Angeles, California 90059." Petitioner appeared for the hearing.

DCFS reported that a forensic interview had been conducted following the June 26, 2008 hearing, and that during the interview, the paternal great aunt stated Mary S. had been sexually acting out. Mary S. and her cousin were taking a bath together. After the bath, Mary S. and her cousin began putting lotion on. Mary S. was putting lotion on in a very sexual manner and on her private parts. On another occasion, the paternal great aunt found Mary S. on top of her cousin. The paternal great aunt also said when Mary S. lived with petitioner the paternal great aunt would visit and find several men in the house. The paternal great aunt, concerned about Mary S.'s behavior, took her for the physical where she tested positive for Chlamydia.

In a report prepared for the August 14, 2007 hearing, the social worker reported that Robert R. and Thomas M. denied that anyone had touched their genital area and denied anyone had touched their siblings inappropriately. Mary S. stated no one had touched her private areas and if someone did, then she would tell petitioner or her aunt. Petitioner stated she did not have any knowledge of the alleged sexual abuse and Mary S. had been in petitioner's custody.

The juvenile court found notice was proper and that a prima facie case for detaining Mary S. under the section 342 petition had been established. Petitioner was granted

unmonitored visits with Mary S., but no adult men were to be present during the visits. DCFS was granted discretion to liberalize petitioner's visits. Mary S. remained detained in the home of her paternal great aunt.

Mediation Hearing. Petitioner did not appear for the mediation hearing held on November 5, 2007.

In an information report dated September 24, 2007, DCFS reported that even though DCFS had not liberalized petitioner's visitation to include overnight visits, Mary S. had been having overnight visits at petitioner's home. On one occasion, an adult male stayed overnight in petitioner's bedroom during Mary S.'s overnight visits.

When the DCFS social worker reminded petitioner that the juvenile court order specifically provided that there were to be no men present during Mary S.'s unmonitored visits, petitioner stated she would allow anyone to stay or visit at her home despite what DCFS or the juvenile court ordered. Petitioner also claimed that she was not at fault for Mary S.'s detention and she was not going to allow anyone to dictate who could or could not stay in her home or have contact with her daughter.

After being informed that Mary S. was not to have overnight visits with petitioner, the paternal great aunt stated she would adhere to the more restrictive guidelines. The paternal great aunt reported that Mary S. was not happy because petitioner had been instructing Mary S. to tell the juvenile court that she wanted to return to petitioner's home. Mary S. stated she did not want to be at petitioner's home because she and her brother slept on the floor or the couch. The paternal great aunt stated the only time petitioner saw Mary S. was when the maternal aunt or the paternal great aunt brought Mary S. to petitioner's home. Otherwise, petitioner did not see or call the child.

After petitioner failed to return calls made to her by DCFS, the social worker made an unannounced visit to petitioner's home during the month of September 2007. Petitioner told the social worker that she would begin counseling with Robert R. and Thomas M. at Group West. Petitioner also stated that she would submit to on-demand drug testing. Thereafter, petitioner failed to answer the telephone or return calls made by the social

worker. As a result, the social worker was unable to arrange on-demand drug testing for petitioner.

According to the paternal great aunt, petitioner had not scheduled any visits or called Mary S. since Mary S.'s birthday in September 2007. Although petitioner promised Mary S. she would attend her birthday party, petitioner failed to show up. Any telephone contact with petitioner was initiated by Mary S. and not petitioner.

At the conclusion of the November 5, 2007 mediation hearing, the juvenile court sustained the allegation contained within the section 342 petition that petitioner and Father had failed to adequately provide for Mary S.'s care and supervision as she was a victim of sexual abuse by an unknown perpetrator, and her urine test revealed a positive result for Chlamydia. Reunification services were ordered for petitioner, including individual counseling at a DCFS-approved facility to address case related issues and sexual abuse awareness. Although the minute order issued after the hearing provides that petitioner was to be referred for drug testing, the case disposition plan is silent as to whether petitioner was required to drug test. Petitioner was granted unmonitored day visits with Mary S. on condition that no men were present during the visits and DCFS was directed to make unannounced visits to verify petitioner's compliance.

The juvenile court set the matter for a 12-month review hearing. DCFS mailed notice of the 12-month review hearing to petitioner at "13305 Alvaro St., Los Angeles, California 90059."

Twelve-Month Review Hearing. Petitioner did not appear at the May 5, 2008 section 366.21, subdivision (f) status review hearing.

Petitioner's counsel requested a continuance, stating that she had had no contact with petitioner and thus did not have direction on how to proceed. The juvenile court found notice was proper and denied the request for a continuance. Petitioner's counsel requested that the matter be set for a contest. The juvenile court agreed to set the matter for a contest and scheduled it for that afternoon. Petitioner's counsel then stated, "[t]hat is fine, Your Honor. We can do it right now."

In a report prepared in January 2008, DCFS reported that petitioner had become employed full time in November 2007. On January 10, 2008, petitioner told the DCFS social worker she was unable to begin counseling with the program she had selected and that it was difficult to begin counseling because she was working during the day. Also on January 10, 2008, the social worker mailed a list of referrals to petitioner's home. The social worker also provided monthly bus passes to petitioner.

On January 30, 2008, petitioner advised the social worker that she had an intake appointment with South Bay Counseling on February 4, 2008. Petitioner said that after her appointment she would telephone the social worker with information regarding counseling and therapy. Petitioner continued to be employed, working Monday through Friday.

According to petitioner, she had regularly visited Mary S. since the November 5, 2007 mediation hearing and the visits went well. However, the paternal great aunt reported that petitioner only had two visits with Mary S. since the November 5, 2007 hearing. Both visits went well.

In a report dated May 5, 2008, DCFS advised that it had interviewed the paternal great aunt. She reported that petitioner had had three visits with Mary S. since February 2008. Petitioner rarely called to set up visits. The paternal aunt stated that on one occasion she took Mary S. to visit petitioner at petitioner's home because Mary S.'s sibling was having a birthday party. The paternal great aunt did not think petitioner was interested in having visits with Mary S. because petitioner did not schedule visits and was not consistent in visiting and telephoning the child.

The DCFS social worker had provided petitioner with drug testing referrals and bus passes. Petitioner continued to claim that she was unable to begin counseling because of her employment. Although petitioner told the social worker she would begin counseling, she never actually began the sessions. In addition, petitioner had failed to drug test with Pacific Toxicology. Attached to the May 5, 2008 report were drug test results which indicated that petitioner was a "no show" for the drug testing. DCFS recommended terminating reunification services and setting the matter for selection of a permanent plan.

At the contested 12-month review hearing petitioner's counsel stated she had attempted to contact petitioner, but was unsuccessful, so she had no direction from petitioner. Petitioner's counsel again asked for a continuance, which the juvenile court denied.

The juvenile court found that DCFS had provided reasonable reunification services and that petitioner was not in compliance with the court-ordered case plan. The juvenile court terminated reunification services for petitioner and set a section 366.26 hearing.

On May 6, 2008, the juvenile court mailed a copy of the May 5, 2008 minute order and a "Notice of Intent to File Writ Petition" to petitioner at "13305 Alvaro Street." On May 16, 2008, petitioner filed a "Notice of Intent to File Writ Petition." Petitioner listed her address as "11305 Alvaro Street."

II. CONTENTIONS

Petitioner contends the juvenile court erred: (1) in finding notice of the section 366.21, subdivision (f) hearing was proper; (2) in denying petitioner's request for a continuance of the section 366.21, subdivision (f) hearing; (3) in accepting DCFS's defective report and relying upon it; and (4) in finding reasonable reunification services had been provided to petitioner.

III. DISCUSSION

A. Petitioner forfeited any notice defects.

Petitioner claims the juvenile court erred in finding that notice of the 12-month hearing was proper.[6] Petitioner has forfeited this claim.

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[6] The record reflects that although petitioner may have resided at "11305 Alvaro Street," she received notices mailed to "13305 Alvaro Street." The record also reflects that petitioner acted on those notices. As petitioner contends, the section 342 and the amended section 300 petitions filed in August 2007 listed petitioner's address as "11305 Alvaro Street." However, the address listed on the notice advising petitioner of the August 14, 2007 hearing, was "13305 Alvaro Street." Following the mailing of the notice, petitioner appeared for the August 14, 2007 hearing. At the conclusion of the May 5, 2008 hearing, DCFS mailed to "13305 Alvaro Street" a notice advising petitioner of her right to

Due process requires '"'"notice reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections."'" (*In re Anna M.* (1997) 54 Cal.App.4th 463, 468.)

Section 293 provides that DCFS shall give a parent notice of a section 366.21 review hearing not earlier than 30 days, nor later than 15 days, before the hearing. "The notice shall contain a statement regarding the nature of the hearing to be held and any change in the custody or status of the child being recommended by the supervising agency. If the notice is to the . . . parent or parents, . . . the notice shall also advise them of the right to be present, the right to be represented by counsel, the right to request counsel, and the right to present evidence. The notice shall also state that if the parent or parents . . . fail to appear, the court may proceed without them." (§ 293, subd. (d).) "Service of the notice shall be by first-class mail addressed to the last known address of the person to be noticed or by personal service on the person. Service of a copy of the notice shall be by personal service or by certified mail, return receipt requested, or any other form of notice that is equivalent to service by first-class mail." (§ 293, subd. (e).)

The rule of forfeiture applies to dependency cases. (*In re Anthony P*. (1995) 39 Cal.App.4th 635, 641; *In re S.B.* (2004) 32 Cal.4th 1287, 1293, fn. 2 [a party forfeits the right to challenge a ruling on appeal by failing to object in the trial court].)

DCFS sent notice of the August 14, 2007 hearing to petitioner at "13305 Alvaro Street," and petitioner appeared for the hearing. The juvenile court found that notice was proper. Petitioner, who apparently resides at "11305 Alvaro Street," did not object to this finding. Nor did she claim the notice was mailed to an incorrect address. Thereafter, DCFS continued to send notices to "13305 Alvaro Street," including notice of the

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file a writ petition. Within days of the mailing of the notice, petitioner timely filed a notice of intent. Clearly petitioner received notices mailed to "13305 Alvaro Street, Los Angeles, California 90059." We note that petitioner does not claim in connection with this writ petition that she did not have actual notice of the May 5, 2008 hearing. Rather, she claims the juvenile court erred in finding that notice was proper.

12-month, section 366.21, subdivision (f) hearing. Although petitioner's counsel asked for a continuance of the 12-month hearing so she could contact petitioner, counsel did not object when the juvenile court found that notice was proper.

We therefore conclude that petitioner forfeited the right to challenge the May 5, 2008 order, on due process grounds by failing to object to lack of notice in the juvenile court.

B. Any error in failing to notify petitioner of the 12-month hearing was harmless error.

Conducting a section 366.21, subdivision (f) hearing without some proof of actual notice to a parent violates due process. (See *In re Phillip F.* (2000) 78 Cal.App.4th 250, 258–259.) However, "[u]nless there is no attempt to serve notice on a parent, in which case the error has been held to be reversible per se [citations], errors in notice do not automatically require reversal but are subject to the harmless beyond a reasonable doubt standard of prejudice." (*In re J.H.* (2007) 158 Cal.App.4th 174, 183; *In re James F.* (2008) 42 Cal.4th 901, 918 ["[i]f the outcome of a proceeding has not been affected, denial of a right to notice and a hearing may be deemed harmless and reversal is not required"].)

Petitioner does not state how she was prejudiced by the alleged improper notice. The primary issue in a section 366.21, subdivision (f) hearing is whether a parent's reunification services will be terminated and whether a section 366.26 hearing will be scheduled. As set forth below, the juvenile court had substantial evidence to support its finding that DCFS provided reasonable services under the circumstances. Moreover, the record shows that petitioner did not comply with the case plan. She not only failed to participate in individual counseling, she failed to consistently visit Mary S. Clearly, no different result would have occurred had petitioner been present for the hearing.

C. The juvenile court did not err in denying petitioner's counsel's request for a continuance.

Petitioner claims the juvenile court erred in denying her counsel's request for a continuance of the 12-month hearing.

An appellate court will reverse an order denying a continuance only upon a showing of an abuse of discretion. (*In re Gerald J.* (1991) 1 Cal.App.4th 1180, 1187.)

A continuance of a status review hearing "shall be granted only on a showing of good cause and shall not be granted if it is contrary to the minor's best interests. [Citation.] In considering a request for a continuance, the court must 'give substantial weight to a minor's need for prompt resolution of his or her custody status, the need to provide children with stable environments, and the damage to a minor of prolonged temporary placements.' [Citation.]" (*In re J.I.* (2003) 108 Cal.App.4th 903, 912.)

The absence of a party is not sufficient "good cause" to compel the grant of a continuance and the court's decision to deny a motion for a continuance on such grounds is not, in and of itself, an abuse of discretion. (*Young v. Redman* (1976) 55 Cal.App.3d 827, 831.) Good cause for a continuance requires more than the mere convenience of the parties. (*Renee S. v. Superior Court* (1999) 76 Cal.App.4th 187, 197, fn. 6.) Parties who fail to adjust their personal plans in order to attend a hearing are not justified in requesting a continuance. (*Young v. Redman*, *supra,* at p. 832.)

Applying these standards, we conclude the juvenile court did not abuse its discretion in denying petitioner's counsel's request for a continuance. Counsel's only reason for seeking a continuance was so that she could make an attempt to contact petitioner. Petitioner notes that her counsel had been appointed on February 4, 2008, and claims that since counsel could not make contact with petitioner she could not provide effective assistance of counsel. This does not constitute good cause for a continuance. Petitioner had three months from the time counsel was appointed to confer with counsel. By the time of the section 366.21, subdivision (f) hearing, Mary S. had twice been a dependent of the juvenile court. She had been sexually abused and was in need of a stable environment. We cannot conclude the juvenile court abused its discretion in denying petitioner's counsel's request for a continuance since the denial allowed prompt resolution of Mary S.'s custody status.

D. The status review reports were adequate.

Petitioner claims the 12-month status review report was inadequate.

Section 366.21, subdivision (c) provides: "At least 10 calendar days prior to the hearing, the social worker shall file a supplemental report with the court regarding the services provided or offered to the parent . . . to enable him or her to assume custody and the efforts made to achieve legal permanence for the child if efforts to reunify fail, including, but not limited to, . . . the progress made; and, where relevant, the prognosis for return of the child to the physical custody of his or her parent . . . ; and shall make his or her recommendation for disposition. . . . If the recommendation is not to return the child to a parent . . . , the report shall specify why the return of the child would be detrimental to the child." (§ 366.21, subd. (c).)

The juvenile court had before it the February 4, 2008, and the May 5, 2008 reports, both of which were prepared for the 12-month hearing. The reports indicated that the social worker provided petitioner with counseling referrals and bus passes and maintained contact with petitioner, Mary S. and Mary S.'s caretaker. When the DCFS social worker contacted petitioner about her compliance with counseling, petitioner stated she was about to begin or would begin counseling, but had not begun counseling. When the social worker contacted Mary S.'s caretaker, she advised that petitioner's visitation with Mary S. was inconsistent. The social worker noted that petitioner was not in compliance with the court-ordered case plan and recommended terminating reunification services and setting a hearing to select a permanent plan. Thus, the juvenile court had the necessary information to render its findings at the 12-month review hearing.

Even if the status review reports did not meet all of the requirements of section 366.21, subdivision (c), any error would be harmless. Reversal is permitted only if an appellate court finds it reasonably probable that the result would have been more favorable to the appealing party but for the error. (*In re Celine R.* (2003) 31 Cal.4th 45, 59–60 [failure to provide separate counsel for the child].) Petitioner has failed to show how she was prejudiced by any inadequacies she perceives in the May 5, 2008 report. As

set forth below, although petitioner received reasonable reunification services, she failed to comply with the court-ordered case plan.

E. The reunification services provided by DCFS were reasonable.

Petitioner claims the juvenile court erred in finding reasonable reunification services were provided to her. We disagree.

The appropriate standard of review in dependency cases is for the appellate court to determine whether the juvenile court's order is supported by substantial evidence. (*In re Sheila B.* (1993) 19 Cal.App.4th 187, 199.)

"[I]n reviewing the reasonableness of the reunification services provided by [DCFS], we must also recognize that in most cases more services might have been provided, and the services that are provided are often imperfect. The standard is not whether the services provided were the best that might have been provided, but whether they were reasonable under the circumstances." (*Elijah R. v. Superior Court* (1998) 66 Cal.App.4th 965, 969; *In re Misako R.* (1991) 2 Cal.App.4th 538, 547.) Reunification services "must be specifically tailored to fit the circumstances of each family" and "must be designed to eliminate those conditions which led to the juvenile court's jurisdictional finding." (*In re Dino E.* (1992) 6 Cal.App.4th 1768, 1777.)

On November 5, 2007, the juvenile court ordered petitioner to participate in individual counseling at a DCFS-approved facility to address case related issues, including sexual abuse awareness. In addition, petitioner was granted unmonitored day visits with Mary S. on condition that petitioner have no males present during her contact.[7]

Following the November 5, 2007 hearing, the DCFS social worker kept in contact with petitioner to determine her compliance with the court-ordered case plan. The social

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[7] Although the minute order suggests that petitioner was also required to drug test, the reporter's transcript of the November 5, 2007 hearing does not indicate that such a requirement was imposed.

worker provided petitioner with counseling referrals and with monthly bus passes. The social worker kept apprised of petitioner's visits with Mary S. and consistently spoke with the paternal great aunt about Mary S.

Petitioner failed to comply with any aspect of the case plan. '"Reunification services are voluntary . . . and an unwilling or indifferent parent cannot be forced to comply with them. [Citations.]"' (*In re Ronell A.* (1996) 44 Cal.App.4th 1352, 1365.) Although petitioner was provided with referrals, she did not begin counseling. Nor did she consistently visit Mary S. DCFS was not required to take petitioner "by the hand and escort [her] to and through classes or counseling sessions." (*In re Michael S.* (1987) 188 Cal.App.3d 1448, 1463, fn. 5.)

The record indicates that the services provided by DCFS were reasonable under the circumstances.

III. DISPOSITION

The order to show cause is discharged and the petition for extraordinary writ is denied. The temporary stay of the section 366.26 hearing is vacated.

NOT TO BE PUBLISHED IN THE OFFICIAL REPORTS.

_____, J.
ASHMANN-GERST

We concur:

_____, P. J.
BOREN

_____, J.
CHAVEZ